



## Declaration for Patent Application

K&S Ref: P21421US-M/KVC/ECK/DLW  
Docket Number: 0623.1090001/EKS/BJD

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled: Use of Vascular Endothelial Growth Factor (VEGF),

the specification of which is attached hereto unless the following box is checked:

was filed on June 11, 2001;  
as United States Application Number or PCT International Application Number 09/877,244; and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
<u>GB 9827407.9</u> (Application No.)	<u>United Kingdom</u> (Country) <u>11/12/98</u> (Day/Month/Year Filed) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>GB 9908061.6</u> (Application No.)	<u>United Kingdom</u> (Country) <u>08/04/99</u> (Day/Month/Year Filed) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Send Correspondence to:

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Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	James M. Staddon
Signature of sole or first inventor	<i>JS</i> 8 Nov 2001 ✓ Date
Residence	London, United Kingdom
Citizenship	United Kingdom
Mailing Address	Eisai London Research Laboratories Limited, Bernard Katz Building, University College London, Gower Street, London WC1E 6BT, Great Britain
Full name of second inventor	Mary L. Morgan
Signature of second inventor	<i>MLM</i> 08/11/01 ✓ Date
Residence	London, United Kingdom
Citizenship	United Kingdom
Mailing Address	Eisai London Research Laboratories Limited, Bernard Katz Building, University College London, Gower Street, London WC1E 6BT, Great Britain
Full name of third inventor	
Signature of third inventor	Date
Residence	
Citizenship	
Mailing Address	

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Staddon et al.

Application No./Patent No.: 09/877,244 Filed: June 11, 2001

Entitled: Use of Vascular Endothelial Growth Factor (VEGF)  
Eisai Co., Ltd., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest, or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: ✓ 16<sup>th</sup> November 2001

Name: ✓ DR. YOSHIHARU YAMANISHI

Title: ✓ RESEARCH DIRECTOR

Signature: ✓ y. yamanishi

**DO NOT FORWARD**  
**TO ASSIGNMENT BRANCH**  
**NOT FOR RECORDATION**

K&S Ref: P21421US-M/KVC/ECK/DLW  
Attorney Docket No. 0623.1090001/EKS/BJD

## **ASSIGNMENT**

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: James M. Staddon and Mary L. Morgan, the undersigned inventors hereby sells and assigns to Eisai Co., Ltd. (the Assignee) his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

*check applicable box(es)*  for the United States of America (as defined in 35 U.S.C. § 100),  
 and throughout the world,

(a) in the invention known as Use of Vascular Endothelial Growth Factor (VEGF) for which applications for patent in the United States of America have been executed by the undersigned on 8 Nov. 2001 (also known as United States Application No. 09/877,244, filed June 11, 2001), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agrees to execute all papers necessary in connection with the application and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned inventors agrees to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represents that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventors hereby grants Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; John M. Covert, Esquire, Registration No. 38,759; and Linda E. Alcorn, Esquire,

Registration No. 39,588; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite his/her name.

Date: 8 Nov 2001 Signature of Inventor: Jim Stoddon  
James M. Stoddon

Date: 8 Nov. 2001 Signature of Inventor: Mary L. Morgan  
Mary L. Morgan

Date: \_\_\_\_\_ Signature of Inventor: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of Inventor: \_\_\_\_\_

**DO NOT FORWARD**  
**TO ASSIGNMENT BRANCH**  
**NOT FOR RECORDATION**